

**REQUEST FORM FOR
APPLICATION UNDER 37 CFR 1.53(b)**

17497 U.S. PTO
10/656153
09/08/03

DOCKET NUMBER: 60188-625

Prior Application:

Art Unit: **2814**
Examiner: **Pham**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a **Divisional** application under 37 CFR 1.53(b) of pending prior application Serial No. **10/196,229**, filed on **July 17, 2002**, entitled **SEMICONDUCTOR MEMORY AND METHOD FOR FABRICATING THE SAME**, by the following named inventors: Hisashi OGAWA, Yoshihiro MORI and Akihiko TSUZUMITANI.

1. ☒ I hereby state that the enclosed application contains no new matter.
2. Oath or Declaration
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
 - i. ☐ Deletion of inventor(s)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
3. ☒ Incorporation By Reference (useable if Box 2b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 2b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
4. ☒ Preliminary Amendment is enclosed.
5. ☒ An Information Disclosure Statement and PTO1449 Form are submitted herewith.
6. ☒ Cancel claims 1-12.

7. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 6 above:

| | NO. OF CLAIMS | | EXTRA CLAIMS | RATE | AMOUNT |
|---|------------------|-----|-----------------|-----------|------------------|
| Total Claims | 10 | -20 | 0 | \$18.00 = | \$0.00 |
| Independent Claims | 1 | -3 | 0 | \$84.00 = | \$0.00 |
| Basic Application Fee | | | | | \$750.00 |
| If multiple dependent claims are presented, add \$280.00 | | | | | \$280.00 |
| Total Application Fee | | | | | \$1030.00 |
| Subtract ½ if small entity | | | | | \$0.00 |
| TOTAL APPLICATION FEE DUE | | | | | \$1030.00 |
| AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417 | | | | | \$1030.00 |

- 7a. ☐ Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
- 7b. ☐ A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.
- 8a. ☒ **PLEASE CHARGE DEPOSIT ACCOUNT 500417 in the amount of \$1030.00**
- 8b. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Serial No. 10/196,229 or credit any overpayment to Deposit Account No. 500417.
9. ☒ Amend the specification by inserting before the first line the sentence:
 --This application is a **divisional** of Application Serial No. 10/196,229 filed **July 17, 2002**--
10. ☒ Priority of Application Serial No. 2001-218277 filed on **July 18, 2001**, in **JAPAN** is claimed under 35 USC 119. The certified priority document was filed in Serial No. 10/196,229 on **July 17, 2002**.
11. ☒ The prior application is assigned of record to

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.
 Osaka, JAPAN
12. ☒ The power of attorney in the prior application is to:

McDermott, Will & Emery
13. ☒ Also enclosed:

Copy of Revocation of Power of Attorney

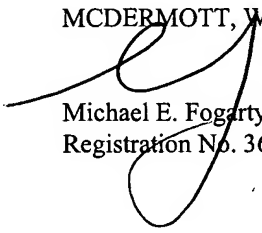
14. ☐ A petition, fee and response has been filed to extend the term in the pending prior application until .

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

McDermott, Will & Emery
600 13th Street, N.W.
Washington, DC 20005-3096
Customer Number 20277

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Michael E. Fogarty
Registration No. 36,139

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Date: September 8, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Hisashi OGAWA, et al. : Group Art Unit: 2814
Serial No.: 10/196,229 : Examiner: HOAI V. PHAM
Filed: July 17, 2002 :
For: SEMICONDUCTOR MEMORY AND METHOD FOR FABRICATING THE SAME

**TRANSMITTAL OF REVOCATION OF POWER OF ATTORNEY
AND REQUEST FOR CHANGE OF ADDRESS**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a Revocation of Power of Attorney, Appointment and Certification Under 37 CFR 3.373(B) for the above referenced application.

Please change the USPTO records to reflect our Docket Number as noted above.

Also, please address all future correspondence to:

McDermott, Will & Emery
600 13th Street, N.W.
Washington, D.C. 20005-3096

Respectfully submitted,

McDERMOTT, WILL & EMERY

Dated: 5/27/03

By: 

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COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Hisashi OGAWA, Yoshihiro MORI, Akihiko TSUZUMITANI

Serial No.: 10/196,229

Filed: July 17, 2002

For: SEMICONDUCTOR MEMORY AND METHOD FOR FABRICATING THE SAME

**REVOCATION OF POWER OF ATTORNEY, APPOINTMENT
AND CERTIFICATION UNDER 37 CFR 3.73(B)**

Commissioner for Patents
Washington, DC 20231

Sir:

The undersigned assignee of the above-identified application hereby revokes all previous Powers of Attorney and appoints the following attorneys with full power to prosecute the application, to make alterations and amendments therein, and to transact all business in the United States Patent Office connected therewith.

I hereby appoint the following attorney(s) and/or agent(s): Steven W. Allis, Reg. No. 50,532; Stephen A. Becker, Reg. No. 26,527; John G. Bisbikis, Reg. No. 37,095; Daniel Bucca, Reg. No. 42,368; Kenneth L. Cage, Reg. No. 26,151; Jennifer Chen, Reg. No. 42,404; Bernard P. Codd, Reg. No. 46,429; Lawrence T. Cullen, Reg. No. 44,489; Paul Devinsky, Reg. No. 28,553; Margaret M. Duncan, Reg. No. 30,879; Shamita De. Etienne-Cummings, Reg. No. 46,072; Ramyar M. Farid, Reg. No. 46,692; Brian E. Ferguson, Reg. No. 36,801; Michael E. Fogarty, Reg. No. 36,139; John R. Fuisz, Reg. No. 37,327; Willem F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; John A. Hankins, Reg. No. 32,029; Eric J. Kraus, Reg. No. 36,190; Catherine Krupka, Reg. No. 46,227; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Burman Y. Mathis III, Reg. No. 44,907; Michael A. Messina, Reg. No. 33,424; Dawn L. Palmer, Reg. No. 41,238; Joseph H. Paquin, Jr., Reg. No. 31,647; Scott D. Paul, Reg. No. 42,984; William D. Pegg, Reg. No. 42,988; Robert L. Price, Reg. No. 22,685; Gene Z. Robinson, Reg. No. 33,351; Brian K. Seidleck, Reg. No. 51,321; Joy Ann G. Serauskas, Reg. No. 27,952; Jiri F. Smetana, Reg. No. 52,456; David A. Spenard, Reg. No. 37,449; Arthur J. Steiner, Reg. No. 26,106; Wesley Strickland, Reg. No. 44,363; Michael D. Switzer, Reg. No. 39,552; David M. Tennant, Reg. No. 48,362; Judith L. Toffenetti,

CC-Y

Reg. No. 39,048; Daniel S. Trainor, Reg. No. 43,959; Shival P. Virmani, Reg. No. 45,032; Kelli N. Watson, Reg. No. 47,170; Cameron K. Weiffenbach, Reg. No. 44,488; Aaron Weisstuch, Reg. No. 41,557; Edward J. Wise, Reg. No. 34,523; Jeffrey A. Woller, Reg. No. 48,041; Alexander V. Yampolsky, Reg. No. 36,324; Robert W. Zelnick, Reg. No. 36,976; and Wei-Chen Chen, admitted under 37 CFR 10.9(b) all of

McDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, DC 20005-3096

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

CERTIFICATE UNDER 37 CFR 3.73(b)

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD., a corporation of 1006, Oaza Kadoma, Kadoma-shi, Osaka 571-8501, Japan, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of

An Assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 013108, Frame 0018.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

The undersigned further declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Serial No.: 10/196,229

Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

Name: Isamu SHIMURA

Title: Director, IP Development Center
Authorized Signing Officer

Signature: 

Date: 04.17.2003